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HOUSE OF REPRESENTATIVES
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FINANCE REVENUE & BONDING COMMITTEE

TESTIMONY
IN OPPOSITION TO HOUSE BILL NO. 6303
AN ACT EXEMPTING EMPLOYEE RELOCATION COMPANIES FROM THE SMOKE
AND CARBON MONOXIDE DETECTOR AFFIDAVIT REQUIREMENT
Public Safety and Security Committee
February 19th, 2014

Honorable Co-Chairs Senator Larson and Representative Dargan, Honorable Vice-Chairs Senator Coleman and Representative Verrengia, Ranking Members Senator Guglielmo and Representative Zupkus, members of the Public Safety and Security Committee.

My name is Dan Fox and I am a state representative representing the City of Stamford and the 148th District. Thank you for allowing me the opportunity to submit testimony on House Bill 6303, An Act Exempting Employee Relocation Companies From the Smoke and Carbon Monoxide Detector Affidavit Requirement.

I appear before you today adamantly opposed to House Bill 6303 as I believe this bill significantly weakens what is good and sound public policy.

On Christmas morning 2011, a tragic house fire in the City of Stamford claimed the lives of three little girls and their grandparents. Thereafter, along with several other members of the General Assembly I worked on legislation ultimately requiring the installation of smoke and carbon monoxide detectors in certain residential buildings upon the transfer of title. This legislation became Connecticut General Statute § 29-453.

This law requires the transferring party in certain, but not all, residential real estate transactions to affirm that the home has smoke and carbon monoxide detectors present upon the transfer of title. Or, if not, to present the transferee with a credit of \$250 at the time of the closing.

Subsection (e) of Connecticut General Statute § 29-453 provides eight (8) transfers that are exempt from this requirement. The transfers exempt from this requirement include (1) Any transfer from one or more coowners solely to one or more of the other coowners; (2) transfers

made to the spouse, mother, father, brother, sister, child, grandparent or grandchild of the transferor where no consideration is paid; (3) transfers pursuant to an order of the court; (4) transfers by the federal government or any political subdivision thereof; (5) transfers by deed in lieu of foreclosure; (6) any transfer of title incident to the refinancing of an existing debt secured by a mortgage; (7) transfers by mortgage deed or other instrument to secure a debt where the transferor's title to the real property being transferred is subject to a preexisting debt secured by a mortgage; and (8) transfers made by executors, administrators, trustees or conservators.

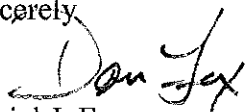
I oppose House Bill 6303 because I believe that it unnecessarily expands the list of exemptions. When the underlying legislation was originally drafted and the list of parties exempt from the affidavit requirement was put together employee relocation companies were part of that conversation. In addition, bank-owned properties, properties owned by a LLC, and properties owned by an individual as an investment property but not occupied by that individual were also considered as possible properties to exempt. Ultimately, none of these properties were included within the list of the exempted properties. First, there was a concern that the properties exempt from the requirement would exceed those subject to the affidavit requirement. Second, parties that were required to comply with the affidavit requirement had the ability to opt out by way of a rather minimal credit of \$250.

The intent of the underlying legislation was for the presence of smoke and carbon monoxide detectors to be a part of the dialog surrounding a real estate closing and transaction. Further, the intent was also for the transferring party to assume some responsibility as to the safety of the future occupants and owners of the subject property.

The presence of smoke and carbon monoxide detectors save lives.

I strongly oppose House Bill 6303 and thank the Committee for its time and attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Fox", written over a horizontal line.

Daniel J. Fox
State Representative, 148th District
Stamford, CT